

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DAVID LYNN MOSS,)
ID # 1457658,)
Petitioner,)
v.) No. 3:15-CV-2416-K (BH)
)
WILLIAM STEPHENS,)
)
Respondent.)

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. Petitioner's Objections are hereby **OVERRULED**.

By separate judgment, Petitioner's Rule 60(b) motion is construed as a second or successive habeas petition under 28 U.S.C. § 2254, and is **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit pursuant to *Henderson v. Haro*, 282 F.3d 862, 864 (5th Cir. 2002) and *In re Epps*, 127 F.3d 364, 365 (5th Cir. 1997).

SO ORDERED.

Signed August 31st, 2015.


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UNITED STATES DISTRICT JUDGE